IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 18907 of 2004

Between:

Dr.Y.B.Satyanarayana, Principal (Retd.,) s/o Balaiah,
r/o 5-2-13, Tirumalanagar, Meerpet, Maula Ali, Hyderabad.

..... PETITIONER

AND

1 The Station House Officer, Osmania University Police Station, Hyderabad.
2 Asst. Commissioner of Police, Kachiguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ, more particularly one in the nature of writ of mandamus declaring that the inaction of the respondents in not registering an offence and not undertaking any investigation into the petitioner's complaint dated 4/9/2004 is an arbitrary and illegal act of dereliction of lawful duty, and further direct the respondents to forthwith register an offence under the SC & ST (Prevention of Atrocities) Act and the second respondent to investigate it expeditiously.

Counsel for the Petitioner: MR.K.BALAGOPAL

Counsel for the Respondent No.: GP FOR HOME

The Court made the following :

ORDER:

The petitioner seeks to issue writ of mandamus declaring the action of the respondents in not registering the case pursuant to the complaint dated 4.9.2004 as arbitrary and illegal.

Counter affidavit has been filed by the respondents stating that pursuant to the complaint of the petitioner dated 4.9.2004 the matter was investigated and found that the averments made in the complaint are baseless and the Vice Chancellor could not be examined as he was expired on 14.10.2004 against whom allegations have been made. It is stated that there is no prima facie material in the complaint given by the petitioner to register a case.

Therefore, I do not see any merit in the writ petition and it is, accordingly, dismissed with liberty to the petitioner to take appropriate action in accordance with law. No order as to costs.

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(V.ESWARAIAH, J.)

26.4.2005

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To

1 The Station House Officer, Osmania University Police Station, Hyderabad.
2 Asst. Commissioner of Police, Kachiguda, Hyderabad.

3 2 c.c to the Govt. Pleader for Home, High Court buildings,

Hyderabad (O.U.T.)

4 2 C.D. copies